

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

Zachariah Mathai
366 Tomlinson Terrace
Philadelphia, PA

Plaintiff

Civil Action

NO: _____

V.

City of Philadelphia
1515 Arch Street
Philadelphia, PA

P/O Richard Roe
c/o City of Philadelphia
1515 Arch Street
Philadelphia, PA

Formerly

P/O Randy Vogt
c/o City of Philadelphia
1515 Arch Street
Philadelphia, PA

**Court of Common Pleas
Philadelphia County
Trial Division – Civil
April Term 2011
No. 002612**

P/O Susan Doughten
1515 Arch Street
Philadelphia, PA

Defendants

NOTICE OF REMOVAL

To the Honorable Judges of the United States District Court for the Eastern District of Pennsylvania.

Pursuant to 28 U.S.C. § 1441, defendants, City of Philadelphia, P/O Richard Roe, P/O Randy Vogt and P/O Susan Doughten (hereinafter “petitioners”) through their counsel, Andrew Belli, Assistant City Solicitor, respectfully petition for the removal of this action to the United States District Court for the Eastern District of Pennsylvania. In support thereof, defendants state the following:

1. In April 2011, plaintiff initiated this action by a Complaint in the Court of Common Pleas in Philadelphia, April 2011, No. 002612. (Exhibit A - Complaint).
2. On April 29, 2011, said Complaint was served on Petitioners at 1515 Arch Street, 14th Floor, Philadelphia, Pennsylvania.
3. Plaintiff alleges that on August 25, 2009, he sustained damages when his civil rights were violated by the defendants. (Exhibit A).

4. This action may be removed to this Court pursuant to 28 U.S.C. § 1441 since Plaintiff's Complaint contains allegations of violations of the plaintiff's Federal Civil Rights and seeks relief under 42 U.S.C. § 1983. (Exhibit A)

Wherefore, petitioners, City of Philadelphia, P/O Richard Roe, P/O Randy Vogt and P/O Susan Doughten, respectfully request that the captioned Complaint be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

Craig Straw
Chief Deputy City Solicitor



ANDREW BELLI
Assistant City Solicitor
Attorney I.D. No. 208100
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
215-683-5434

Date: 5/9/11

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

Zachariah Mathai
366 Tomlinson Terrace
Philadelphia, PA

Plaintiff

Civil Action

NO: _____

V.

City of Philadelphia
1515 Arch Street
Philadelphia, PA

P/O Richard Roe
c/o City of Philadelphia
1515 Arch Street
Philadelphia, PA

Formerly

P/O Randy Vogt
c/o City of Philadelphia
1515 Arch Street
Philadelphia, PA

**Court of Common Pleas
Philadelphia County
Trial Division – Civil
April Term 2011
No. 002612**

P/O Susan Doughten
1515 Arch Street
Philadelphia, PA

Defendants

NOTICE OF FILING OF REMOVAL

TO: Robert P. Barker, Esq.
501 Cambria Avenue, Ste, 119
Bensalem, PA 19020

PLEASE TAKE NOTICE THAT on May 9, 2011, defendants, City of Philadelphia, P/O Richard Roe, P/O Randy Vogt and P/O Susan Doughten filed, in the office of the Clerk of the United States District Court for the Eastern District of Pennsylvania a verified Notice of Removal.

A copy of this Notice of Removal is attached hereto and is also being filed with the Clerk of the Court of Common Pleas of Philadelphia County, pursuant to Title 28, United States Code, Section 1446(e).



ANDREW BELLI

Assistant City Solicitor

Attorney I.D. No. 208100

City of Philadelphia Law Department

1515 Arch Street, 14th Floor

Philadelphia, PA 19102

215-683-5434

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

Zachariah Mathai
366 Tomlinson Terrace
Philadelphia, PA

Plaintiff

Civil Action

NO: _____

V.

City of Philadelphia
1515 Arch Street
Philadelphia, PA

P/O Richard Roe
c/o City of Philadelphia
1515 Arch Street
Philadelphia, PA

Formerly

P/O Randy Vogt
c/o City of Philadelphia
1515 Arch Street
Philadelphia, PA

Court of Common Pleas
Philadelphia County
Trial Division – Civil
April Term 2011
No. 002612

P/O Susan Doughten
1515 Arch Street
Philadelphia, PA

Defendants

CERTIFICATE OF SERVICE

I, Andrew Belli, Assistant City Solicitor do hereby certify that a true and correct copy of the attached Notice of Removal has been served upon the following by First Class Mail, postpaid, on the date indicated below:

TO: Robert P. Barker, Esq.
501 Cambria Avenue, Ste. 119
Bensalem, PA 19020



Andrew Belli
Assistant City Solicitor
City of Philadelphia Law Department
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
215-683-5434

Date: 5/9/11

Exhibit “A”

Plb - sent 53572

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

For Prothonotary Use Only (Docket Number)	
APRIL 2011 E-Filing Number: 1104038491	002612
PLAINTIFF'S NAME ZACHARIAH MATHAI	DEFENDANT'S NAME STATE TROOPER JUSTIN OLIVERIO
PLAINTIFF'S ADDRESS 366 TOMLINSON TERRACE PHILADELPHIA PA	DEFENDANT'S ADDRESS C/O ATTORNEY GENERAL'S OFFICE 15TH FLOOR, STAWBERRY SQUARE HARRISBURG PA
PLAINTIFF'S NAME	DEFENDANT'S NAME CITY OF PHILADELPHIA <i>OK</i>
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS C/O CITY SOLICITOR'S OFFICE 1515 ARCH STREET, 15TH FLOOR PHILADELPHIA PA 19102
PLAINTIFF'S NAME	DEFENDANT'S NAME POLICE OFFICER SUSAN DOUGHTEN
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS C/O CITY SOLICITOR'S OFFICE 1515 ARCH STREET, 15TH FLOOR PHILADELPHIA PA 19102
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 7
COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input checked="" type="checkbox"/> \$50,000.00 or less <input type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input checked="" type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:
CASE TYPE AND CODE 20 - PERSONAL INJURY - OTHER	
STATUTORY BASIS FOR CAUSE OF ACTION	
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)	FILED PRO PROTHY APR 23 2011 M. TIERNEY
IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>ZACHARIAH MATHAI</u> Papers may be served at the address set forth below.	
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY ROBERT P. BARKER	ADDRESS 501 CAMBRIA AVENUE STE. 119 BENSALEM PA 19020
PHONE NUMBER (215) 604-1540	FAX NUMBER (215) 525-4404
SUPREME COURT IDENTIFICATION NO. 91280	E-MAIL ADDRESS barker@barkerattorney.com
SIGNATURE OF FILING ATTORNEY OR PARTY ROBERT BARKER	DATE SUBMITTED Saturday, April 23, 2011, 02:32 pm

COMPLETE LIST OF DEFENDANTS:

1. COMMONWEALTH OF PENNSYLVANIA
C/O ATTORNEY GENERAL'S OFFICE 15TH FLOOR, STRAWBERRY SQUARE
HARRISBURG PA
2. POLICE OFFICER RICHARD ROE
C/O CITY SOLICITORS OFFICE 1515 ARCH STREET, 15TH FLOOR
PHILADELPHIA PA 19102
3. POLICE OFFICE JOHN DOE
C/O CITY SOLICITOR'S OFFICE 1515 ARCH STREET, 15TH FLOOR
PHILADELPHIA PA 19102
4. POLICE OFFICER RANDY VOGT
C/O CITY SOLICITOR'S OFFICE 1515 ARCH STREET, 15TH FLOOR
PHILADELPHIA PA 19102
5. POLICE OFFICER SUSAN DOUGHTEN
C/O CITY SOLICITOR'S OFFICE 1515 ARCH STREET, 15TH FLOOR
PHILADELPHIA PA 19102
6. CITY OF PHILADELPHIA
C/O CITY SOLICITOR'S OFFICE 1515 ARCH STREET, 15TH FLOOR
PHILADELPHIA PA 19102
7. STATE TROOPER JUSTIN OLIVERIO
C/O ATTORNEY GENERAL'S OFFICE 15TH FLOOR, STAWBERRY SQUARE
HARRISBURG PA

USTED ESTA ORDENADO COMPARECER EN Arbitration Hearing 1880 JFK Blvd. 5th fl. at 09:30 AM - 12/20/2011

You must still comply with the notice below. USTED TODAVIA DEBE CUPLIR CON EL AVISO PARA DEFENDERSE.

This matter will be heard by a Board of Arbitrators at the time, date and place specified but, if one or more parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial denovo on appeal from a decision entered by a Judge.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA

Filed and Attested by
PROTHONOTARY
23 APR 2011 02:32 pm
M. TIERNEY

ZACHARIAH MATHAI,

Plaintiff,

: Philadelphia Court of Common Pleas

: Civil Action No.

v.

OFFICER RANDY VOGT, OFFICER JOHN DOE,
OFFICER RICHARD ROE, OFFICER SUSAN DOUGHTEN
STATE TROOPER JUSTIN OLIVERIO, THE CITY OF
PHILADELPHIA, AND THE COMMONWEALTH OF
PENNSYLVANIA. Defendants.

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association
Lawyer Referral
and Information Service
One Reading Center
Philadelphia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta aseentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociacion De Licenciados
De Filadelfia
Servicio De Referencia E
Informacion Legal
One Reading Center
Filadelfia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

Law Office of Robert P. Barker

By: Robert P. Barker

Attny ID: 91280

501 Cambria Avenue, Ste 119

Bensalem, PA 19020

215.604.1540

Attorney for the Plaintiff

Zachariah Mathai

ZACHARIAH MATHAI,
Plaintiff

v.

OFFICER RANDY VOGT, OFFICER
JOHN DOE, OFFICER RICHARD ROE,
STATE TROOPER JUSTIN
OLIVERIO, OFFICER SUSAN
DOUGHTEN, CITY OF
PHILADELPHIA, AND
COMMONWEALTH OF
PENNSYLVANIA

Defendants

: Philadelphia Court of Common Pleas
:
: Civil Action No.
:
:**Introduction**

1. This is an action for money damages brought pursuant to 42 U.S.C. §§ 1983 and 1988, the Fourth and Fourteenth Amendments to the United States Constitution, against Officer Randy Vogt, police officer of the City of Philadelphia, Officer Susan Doughten, a police officer of the City of Philadelphia, and Officer John Doe and Officer Richard Roe, who are also police officers of the City of Philadelphia, and State Trooper Justin Oliverio, a State Trooper with the Pennsylvania State Police Department, the identities of whom are presently unknown to the plaintiff. All of the aforementioned individuals are being sued in their individual capacities.
2. In addition to suit being brought against the individuals above, suit is being brought against the City of Philadelphia and the Commonwealth of Pennsylvania under a *Monell* action.
3. Jurisdiction is conferred on this Court as many of the events that give rise to the instant case take place within the City and County of Philadelphia.

4. In the instant case individual police officer defendants made an unreasonable seizure of the person of Zachariah Mathai, violating his rights under the Fourth and Fourteenth Amendments to the United States Constitution.
5. It is further alleged that these violations were committed as a result of policies and customs of the Commonwealth of Pennsylvania.

Parties

6. Zachariah Mathai, hereafter Plaintiff, was at all relevant to this complaint both a resident of Philadelphia, Pennsylvania and of full age. Mr. Mathai resides at 366 Tomlinson Terrace in the City and County of Philadelphia.
7. Defendant Officers Randy Vogt was at all times relevant to this Complaint duly appointed and acting officer of the Police Department of the City of Philadelphia and acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the Commonwealth of Pennsylvania and/or the City of Philadelphia. He is being sued in his individual capacity.
8. Defendant Officers Richard Roe was at all times relevant to this Complaint duly appointed and acting officer of the Police Department of the City of Philadelphia and acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the City of Philadelphia. He is being sued in his individual capacity. He is being sued in his individual capacity.
9. Defendant Officers John Doe was at all times relevant to this Complaint duly appointed and acting officer of the Police Department of the City of Philadelphia and acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the City of Philadelphia. He is being sued in his individual capacity.
10. Defendant State Trooper Justin Oliverio was at all times relevant to this Complaint duly appointed and acting as a State Trooper in the Commonwealth of Pennsylvania and acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the Commonwealth of Pennsylvania. He is being sued in his individual capacity.
11. Philadelphia Police Officer Susan Doughten was at all times relevant to this Complaint duly appointed and acting as a State Trooper in the Commonwealth of Pennsylvania and

acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the Commonwealth of Pennsylvania. He is being sued in his individual capacity.

12. CITY OF PHILADELPHIA ("City" or "Philadelphia") is a political and geographical subdivision of the Commonwealth of Pennsylvania, and is subject to the laws of the Commonwealth of Pennsylvania as well as applicable Federal Law. The City of Philadelphia has a mailing address of 1515 Arch Street, 15th Floor, Philadelphia PA 19102.
13. The Commonwealth of Pennsylvania ("Commonwealth") is a political and geographical subdivision of the United States and is subject to the laws of the Commonwealth of Pennsylvania as well as applicable Federal Law. The Commonwealth of Pennsylvania has an address of 15th Floor, Strawberry Square, Harrisburg, Pennsylvania.

Facts

14. Plaintiff is required by 42 Pa. C.S. § 9796, to verify his address with the Pennsylvania State Police quarterly, and to notify the Pennsylvania State Police of a new address no later than 48 hours after he has moved, for use in the Pennsylvania State Police's Megan's Law registry.
15. On June 30, 2009, Lieutenant Douglas E. Grimes, Commander of the Pennsylvania Megan's Law Section at the Pennsylvania State Police, mailed a letter to Plaintiff informing him of his responsibility to report to an approved registration site with the appropriate form between July 5 and July 15.
16. On July 5, 2009, Plaintiff reported to the Pennsylvania State Police Barracks in Treviso, Pennsylvania. While at the State Police Barracks, Mr. Mathai completed the Sexual Offender Address Work Sheet with the assistance of Trooper Justin A. Oliverio.
17. When the aforementioned Work Sheet was completed, Mr. Mathai signed the document and was provided a copy of the same. (A true and correct copy of the aforementioned, Sexual Offender Address Work Sheet is attached hereto as Exhibit "A.").

18. The Pennsylvania State Police, Trevoise Barracks is an approved registration site for those subject to the requirements of the Registration of Sexual Offenders Act.
19. As proof of registration, Plaintiff received a copy of the Sexual Offender Address Work Sheet, which had been signed and dated by Trooper Oliverio.
20. Upon information and belief, Trooper Oliverio subsequently failed to enter Plaintiff's registration into the Pennsylvania State Police Megan's Law registry.
21. As a result of the aforementioned failure to enter information, the Pennsylvania State Police erroneously instructed the Philadelphia Police Department Megan's Law Unit on July 27, 2009 that Plaintiff had become non-compliant.
22. Plaintiff had been deemed non-compliant even though he had registered on July 5, 2009.
23. On August 21, 2009, Philadelphia Police Officer Susan Doughten of the Special Victims Unit filed an affidavit with Magistrate Timothy O'Brien alleging that Plaintiff was non-compliant with his Megan's Law obligations, and requesting a warrant for his arrest.
24. On August 24, 2009, Magistrate O'Brien issued a warrant for Plaintiff's arrest on one charge of failing to register with the Pennsylvania State Police pursuant to 42 Pa. C.S. §4915(a); and one charge of failing to verify his address pursuant to 42 Pa. C.S. §4915(a).
25. Both of the aforementioned charges were graded as felonies in the second degree.
26. Also on August 24, 2009, the defendant Officers Randy Vogt, badge number 227791, and John Doe, badge number unknown, arrived at Plaintiff's residence and instructed him that he was under arrest.
27. When he was informed of the charges against him, Plaintiff informed the defendant Officers Vogt and Doe that he had registered and presented the officers with the Address Work Sheet he had received from Trooper Oliverio. (See, Exhibit "A").

28. When shown the Address Work Sheet, Defendant Officer Vogt placed a phone call with an unknown Police Supervisor (hereinafter "Richard Roe").
29. Officer Vogt then informed the Plaintiff that he should show the Sexual Offender Address Work Sheet to defendant Officer Richard Roe, Vogt's supervisor at the Special Victims Unit.
30. Defendant Officers Vogt and Doe arrested Plaintiff and took him to the Special Victims Unit of the Philadelphia Police Department.
31. Plaintiff met with Supervising Officer Richard Roe, who told him to show him the Sexual Offender Address Work Sheet to the Court.
32. Plaintiff remained in custody at the Special Victims Unit that night.
33. At 6 p.m. the following day, Plaintiff was taken before Arraignment Court Magistrate James O'Brien for a preliminary arraignment.
34. Magistrate James O'Brien informed Plaintiff that he found the registration document credible, but lacked jurisdiction to release Plaintiff.
35. Subsequently, Plaintiff was taken to Curran-Fromhold Correctional Facility and held there until September 2, 2009, a total of nine days of incarceration. (A true and correct copy of Mr. Mathai's incarceration record is attached hereto as Exhibit "B").
36. On September 2, the charges against Plaintiff were dismissed by the prosecution.
37. As a direct and proximate result of the said acts of the defendant Officers, Plaintiff suffered the following injuries and damages:
 - a. Violation of his constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution to be free from an unreasonable seizure of his person;
 - b. Loss of his physical liberty; and
 - c. Loss of wages stemming from his illegal imprisonment.

38. The actions of the defendant Officers violated the clearly established and well settled Constitutional right of Plaintiff to freedom from the unreasonable seizure of his person.

COUNT I

42 U.S.C. § 1983 Against All Individual Defendants

39. Averments 1 through 31 are herein incorporated by reference.
40. The Plaintiff, Zachariah Mathai has a right under the United States Constitution, by way of the Fourth and Fourteenth Amendments to be free from unreasonable searches and seizures.
41. Philadelphia Police Officers were provided proof that Mr. Mathai should not be incarcerated. The aforementioned police officers denied him his right to be free from unreasonable searches and seizures when he was arrested and incarcerated on July 9, 2009.
42. At all times, the aforementioned police officers were acting under color of state law when they arrested and incarcerated Mr. Mathai.
43. The denial of Mr. Mathai's freedom is the proximate cause of his injuries complained of in the instant case.
44. At all times relevant to the instant case, the Defendant Philadelphia Police Officers were in the employment of the Philadelphia Police Department an agency under the purview of the City of Philadelphia.
45. At all times relevant to the instant case, State Trooper Olivero was in the employ of the Pennsylvania State Police Department an agency under the purview of the Commonwealth of Pennsylvania.

COUNT II

False Arrest and Illegal Imprisonment Against Individual Defendants

46. Averments 1 through 38 are herein incorporated by reference.
47. Under Pennsylvania law, a false arrest is defined as 1) an arrest made without probable cause or 2) an arrest made by a person without privilege to do so. The elements of false imprisonment are 1) the detention of another person, and 2) the unlawfulness of such

detention. Such detention is unlawful if it is a consequence of a false arrest. Brockington v. City of Phila., 354 F. Supp. 2d 563, 572 n.10 (E.D. Pa. 2005)

48. In the instant case, the Plaintiff provided information to the arresting officers in this case to prove that he should not be arrested and that the warrant they were acting on was not valid.
49. The aforementioned officers arrested Mr. Mathai in spite of the evidence presented.
50. Officers Vogt, Roe, and Doe illegally arrested and illegally imprisoned Plaintiff.
51. As a result of this false arrest and illegal imprisonment, Plaintiff suffered the above-mentioned damages.

COUNT III

42 U.S.C. § 1983 Against Commonwealth of Pennsylvania

52. Averments 1 through 44 are herein incorporated by reference
53. Prior to July 5, 2009, the Commonwealth of Pennsylvania developed and maintained policies or customs exhibiting deliberate indifference to the constitutional rights of persons living in Pennsylvania, which caused the violation of Plaintiff's rights.
54. It was the policy and/or custom of the Commonwealth of Pennsylvania to inadequately and improperly implement procedures to prevent the failure to record a registration in compliance with Megan's Law, and instead such failures would prompt an erroneous notification of non-compliance.
55. As a result of the above described policies and customs, police officers in the Commonwealth, including Officer Susan Doughten, would request warrants for arrest that, unbeknownst to them, were not supported by probable cause.
56. Such invalid arrest warrants caused the wrongful arrest of those, Plaintiff, who were in fact fully compliant with the Megan's Law registration requirement.

57. The above described policies and customs demonstrated a deliberate indifference on the part of policymakers of the Commonwealth of Pennsylvania to the constitutional rights of persons within the City, and were the cause of the violations of plaintiff's rights alleged herein.


WHEREFORE, Plaintiff requests that this Court:

- a. Award compensatory damages to Plaintiff against the defendants, jointly and severally;
- b. Award costs of this action to Plaintiff;
- c. Award reasonable attorney's fees and costs to Plaintiff on Counts I and III of the complaint;
- d. Award such other and further relief as this Court may deem appropriate.

Plaintiff hereby demands a jury trial.

Dated: 4/23/2011

Law Office of Robert P. Barker

By: 
Robert P. Barker
Attorney for the Defendant
Zachariah Mathai

VERIFICATION

I, Zachariah Mathai, states that the facts set forth in the foregoing pleading are true and correct to the best of his knowledge, information and belief; and this statement is made subject to the penalties of 18 Pa.C.S. § 4904, relating to the unsworn falsification to authorities.

Dated: 3/27/2011

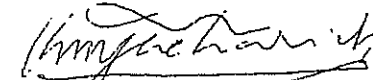

Zachariah Mathai

EXHIBIT “A”

PENNSYLVANIA STATE POLICE
SEXUAL OFFENDER ADDRESS WORK SHEET
 MEGAN'S LAW

NOTE: THIS FORM IS TO BE COMPLETED BY
 THE REGISTERING OFFICIAL ONLY AND
 ALL BLOCKS ARE TO BE COMPLETED, EVEN IF THERE IS NO CHANGE.

1. PA SID 31675006		2. LAST NAME MATHAI		3. FIRST NAME ZACHARIAH		4. MIDDLE NAME KIZHAKKEPURATHU		5. SUFFIX			
6. GENDER <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE <input type="checkbox"/> UNKNOWN		7. RACE <input type="checkbox"/> WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> ASIAN/PACIFIC ISLANDER <input checked="" type="checkbox"/> INDIAN/ALASKAN NATIVE <input type="checkbox"/> UNKNOWN		ETHNICITY <input type="checkbox"/> HISPANIC <input checked="" type="checkbox"/> NON-HISPANIC <input type="checkbox"/> UNKNOWN		8. DATE OF BIRTH 10 - 02 - 1948		10. WEIGHT 185			
						9. SOCIAL SECURITY NUMBER [REDACTED]		11. HAIR COLOR BLK			
								12. DOES OFFENDER WEAR GLASSES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
13. ALIASES/NICKNAMES (NEW ONLY): N/A											
14. AMPUTATIONS (NEW ONLY): N/A											
15. SCARS/MARKS/TATTOOS (NEW ONLY): N/A											
ADDRESS INFORMATION											
RESIDENCE(S) ADDRESS(ES) - PHYSICAL LOCATION OF OFFENDER											
IF ADDITIONAL SPACE IS REQUIRED FOR MORE THAN 2 PHYSICAL RESIDENCE ADDRESSES, USE BLOCK 105.											
Residence 1											
16. STREET ADDRESS 1 366 TOMLINSON TERRACE											
17. STREET ADDRESS 2 - INCLUDE APARTMENT/ROOM #					18. MUNICIPALITY (CITY/TOWNSHIP/BORO) PHILADELPHIA CITY						
19. CITY PHILADELPHIA					20. STATE PA		21. ZIP CODE 19116		22. COUNTY PHILADELPHIA		
23. POLICE AGENCY HAVING JURISDICTION PHILADELPHIA PD					24. POLICE ORI NUMBER PAPEP0000						
25. TELEPHONE NUMBERS RESIDENCE 215 - 671 - 8788					CELLULAR						
Residence 2											
26. STREET ADDRESS 1 N/A											
27. STREET ADDRESS 2 - INCLUDE APARTMENT/ROOM #					28. MUNICIPALITY (CITY/TOWNSHIP/BORO)						
29. CITY					30. STATE		31. ZIP CODE		32. COUNTY		
33. TELEPHONE NUMBER					34. POLICE AGENCY HAVING JURISDICTION					35. POLICE ORI NUMBER	
36. IS THE MAILING ADDRESS THE SAME AS THE PHYSICAL ADDRESS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (IF NO, COMPLETE THE MAILING ADDRESS INFORMATION BELOW)											
37. MAILING ADDRESS - STREET ADDRESS 1											
38. MAILING ADDRESS - STREET ADDRESS 2								39. TELEPHONE NUMBER			
40. CITY					41. STATE		42. ZIP CODE		43. COUNTY		
SCHOOL INFORMATION											
44. NAME OF SCHOOL N/A											
45. STREET ADDRESS 1											
46. STREET ADDRESS 2 - INCLUDE APARTMENT/ROOM #					47. MUNICIPALITY (CITY/TOWNSHIP/BORO)						
48. CITY					49. STATE		50. ZIP CODE		51. COUNTY		
52. TELEPHONE NUMBER					53. DATE OF ENROLLMENT					54. DATE OF TERMINATION	
55. POLICE AGENCY HAVING JURISDICTION								56. POLICE ORI #			

EMPLOYMENT INFORMATION						
EMPLOYER 1 INFORMATION						
IF ADDITIONAL SPACE IS REQUIRED FOR MORE THAN 2 EMPLOYERS, USE BLOCK 105.						58. TELEPHONE NUMBER
57. NAME OF EMPLOYER WORLD FLAVORS				60. SUPERVISOR'S NAME EDWARD F. SELSER		
59. OCCUPATION/JOB TITLE MACHINE OPERATOR						
61. STREET ADDRESS 1 76 LOUISE DRIVE				63. MUNICIPALITY (CITY/TOWNSHIP/BORO) IVYLAND BORO		
62. STREET ADDRESS 2				65. STATE PA		66. ZIP CODE 18974
64. CITY IVYLAND BORO				67. COUNTY BUCKS		69. POLICE ORI # RA0005200
68. POLICE AGENCY HAVING JURISDICTION IVYLAND BORO POLICE DEPT.						
EMPLOYER 2 INFORMATION						
70. NAME OF EMPLOYER N/A						71. TELEPHONE NUMBER
72. OCCUPATION/JOB TITLE				73. SUPERVISOR'S NAME		
74. STREET ADDRESS 1						
75. STREET ADDRESS 2				76. MUNICIPALITY (CITY/TOWNSHIP/BORO)		
77. CITY				78. STATE	79. ZIP CODE	80. COUNTY
81. POLICE AGENCY HAVING JURISDICTION				82. POLICE ORI #		
VEHICLE INFORMATION						
IF ADDITIONAL SPACE IS REQUIRED FOR MORE THAN 2 VEHICLES REGISTERED OR OWNED, USE BLOCK 105.						
VEHICLE 1	83. STATE PA	84. PLATE # GKH1055	85. YEAR 2006	86. MAKE HONDA	87. MODEL ACCORD	88. COLOR GREY
VEHICLE 2	89. STATE PA	90. PLATE # GXX1008	91. YEAR 2006	92. MAKE HONDA	93. MODEL ACCORD	94. COLOR GREY
TREATMENT INFORMATION - (SEXUALLY VIOLENT PREDATORS ONLY)						
95. TREATMENT PROVIDER				96. TREATMENT LOCATION		
SWORN STATEMENT OF OFFENDER						
I verify the facts set forth in this form are true and correct to the best of my knowledge, information, and belief. This verification is made subject to the penalties of Sections 4904 and 4915 of Title 18, Crimes Code, relating to Unsworn falsification to authorities, and Failure to comply with registration of sexual offenders requirements, and any of the applicable provisions contained in Title 18, Crimes Code, Chapter 49, Subchapter A, and Title 42, Judicial Code, Chapter 97, Subchapter H.						
97. SIGNATURE - OFFENDER <i>Richard M. Mott</i>					98. DATE 7/5/09	
99. SIGNATURE - REGISTERING OFFICIAL <i>TPR. Justin A. Oliverio</i>				100. TITLE TROOPER		101. DATE 07/05/09
102. PRINTED NAME - REGISTERING OFFICIAL PR. JUSTIN A. OLIVERIO		103. DEPARTMENT/AGENCY/FACILITY (INCLUDE PSP STATION NAME) PSP TREVOSE			104. TELEPHONE NUMBER (EXTENSION IF NECESSARY) 215 - 942 - 3900 Ex1.	
105. ADDITIONAL INFORMATION - PLEASE INDICATE THE SECTION NAME (ADDRESS, SCHOOL, EMPLOYMENT, VEHICLE) FOR ANY INFORMATION BELOW.						